

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

EUGUENE GARCIA,

Plaintiff,

v.

CONN APPLIANCES, INC.

Defendant.

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No. 5:15-cv-852

STIPULATION TO ARBITRATION

Defendant Conn Appliances, Inc. (“Conn’s”) and Plaintiff Eugene Garcia (“Plaintiff”) (Conn’s and Plaintiff are collectively referred to as “Parties”) file this Stipulation to Arbitration and would show the Court as follows:

1. Plaintiff filed her Original Complaint on September 30, 2015 (Dkt. 1), alleging violations under the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* in connection with Conn’s attempt to collect on a debt.

2. Plaintiffs purchased merchandise from Conn’s in exchange for a promise of payment. The Parties memorialized the financing terms in a retail installment contract that Plaintiff signed. The retail installment contract contains an arbitration provision that covers all claims arising from Plaintiff’s debt. Because the claims in Plaintiff’s Complaint fall within the scope of this provision, the parties have agreed to move this case to arbitration.

IT IS THEREFORE **AGREED AND STIPULATED** as follows:

- i. Plaintiff’s claims are subject to binding arbitration.
- ii. The parties request the Court order this action to arbitration and stay the proceedings pending completion of arbitration.

Dated: March 18, 2016.

Respectfully submitted,

By: /s/ Michael A. Harvey

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CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2016, a true and correct copy of forgoing document was electronically filed via the Court's CM/ECF filing system and served on all counsel of record.

/s/ Michael A. Harvey

Michael A. Harvey